



Docket No. 0769-4582US1

#17
AW
11-6-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of
Bahar et al.

Serial No.: 09/209,932

Filed: July 8, 1998

For: AN ULTRA-THIN INTEGRAL
COMPOSITE MEMBRANE

Examiner: B. Copenheaver

Art Unit: 1771

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OFFICE OF PETITIONS

Commissioner for Patents
Washington, D.C. 20231

**TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321 TO OBVIATE
A PROVISIONAL DOUBLE PATENTING REJECTION
OVER A PENDING SECOND APPLICATION, SER. NO. 09/137,515**

Identity of Assignee

The petitioner, **W.L. Gore & Associates, Inc.**, having a business address at **551 Paper Mill Road, P.O. Box No. 9206, Newark, Delaware, 19714-9206** is the owner of the entire right, title, and interest in the above-identified application, Serial No. **09/209,932** and is also the owner of the entire right, title, and interest in the pending second application Serial No. **09/137,515**.

Identification of Person(s) Making This Disclaimer

Name of disclaimant: **J. Steven Rutt, Morgan & Finnegan, L.L.P. 1775 Eye Street, Suite 400, Washington, D.C.** Disclaimant represents he is a Registered Patent Attorney,

Registration No. **40,153**, and an Attorney of Record for the above identified application, and authorized to sign on behalf of the assignee identified above.

Extent of Interest

The extent of assignee's interest is in the whole of this invention.

Declaration Under 37 C.F.R. 3.73(b)

I, the undersigned, have reviewed all the documents in the chain of title of the patent application identified above and, to the best of my knowledge and belief, title is in the assignee identified above.

Disclaimer

The petitioner, through its Attorney of Record, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second application Serial No. **09/137,515**. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Fee Status

(37 C.F.R. 1.20(d) and 37 C.F.R. 1.321)

☐ other than a small entity--fee \$110.00

Fee Payment

☐ Attached is a check in the sum of _____.

☒ Charge Deposit Account 13-4500, Order No. **0769-4582US1** any fee required by this paper.

☐ Charge Account 13-4500, Order No. _____ the sum of _____.

A DUPLICATE COPY OF THIS DISCLAIMER IS ATTACHED.

AUTHORIZATIONS:

Terminal Disclaimer
U.S. Ser. No.: 09/209,932

Docket No. 0769-4582US1

The Commissioner is hereby authorized to charge any additional fees which may be required for timely consideration of this Amendment under 37 C.F.R. §§1.16 -§1.20 or credit any overpayment to Deposit Account No. 13-4500 Order No. 0769-4582US1.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Date:

July 21, 2000

By:

J. Steven Rutt

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**TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321 TO OBVIATE
A DOUBLE PATENTING REJECTION
OVER U.S. PATENT NO. 5,599,614**

Identity of Assignee

The petitioner, **W.L. Gore & Associates, Inc.**, having a business address at **551 Paper Mill Road, P.O. Box No. 9206, Newark, Delaware, 19714-9206** is the owner of the entire right, title, and interest in the above-identified application, Serial No. **09/209,932**, by virtue of an assignment recorded at the United States Patent and Trademark Office at Reel **9115**, Frame **0389** on **April 15, 1998** and an assignment from **R. Mallouk** to **W.L. Gore & Associates**, which is being recorded at the United States Patent and Trademark Office, Assignment Division at this time. The petitioner is also the owner of the entire right, title, and interest in U.S. Patent No. **5,599,614** by virtue of an assignment recorded at the United States Patent and Trademark Office

on **November 21, 1995** at Reel **7778**, Frame **0395** and also an assignment recorded at the United States Patent and Trademark Office on **September 2, 1999** at Reel **010207**, Frame **0716**.

Identification of Person(s) Making This Disclaimer

Name of disclaimant(s): **J. Steven Rutt, Morgan & Finnegan, L.L.P. 1775 Eye Street, Suite 400, Washington, D.C.** Disclaimant(s) represent he is a Registered Patent Attorney, Registration No. **40,153**, and an Attorney of Record for the above identified application, and authorized to sign on behalf of the assignee identified above.

Extent of Interest

The extent of assignee's interest is in the whole of this invention.

Declaration Under 37 C.F.R. 3.73(b)

I, the undersigned, have reviewed all the documents in the chain of title of the patent application identified above and, to the best of my knowledge and belief, title is in the assignee identified above.

Disclaimer

The petitioner, through its Attorney of Record, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C.

Terminal Disclaimer
U.S. Ser. No.: 09/209,932

Docket No. 0769-4582US1

154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of U.S. Patent No. **5,599,614**. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. **5,599,614** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent No. **5,599,614**, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that U.S. Patent No. **5,599,614**: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Fee Status

(37 C.F.R. 1.20(d) and 37 C.F.R. 1.321)
☐ other than a small entity--fee \$110.00

Fee Payment

- ☐ Attached is a check in the sum of ____.
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Terminal Disclaimer
U.S. Ser. No.: 09/209,932

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[] Charge Account 13-4500, Order No. _____ the sum of _____.

A DUPLICATE COPY OF THIS DISCLAIMER IS ATTACHED.

AUTHORIZATIONS:

The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for timely consideration of this Amendment under 37 C.F.R. §§1.16 -§1.20 or credit any overpayment to Deposit Account No. 13-4500 Order No. 0769-4582US1.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Date:

July 21, 2000

By:

J. Steven Rutt

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